

Bureau of Health Care Quality and Compliance

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: NVS5777PCS	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____	(X3) DATE SURVEY COMPLETED 03/18/2010
NAME OF PROVIDER OR SUPPLIER BEEN THERE, INC		STREET ADDRESS, CITY, STATE, ZIP CODE 8760 S MARYLAND PKWY STE 124 LAS VEGAS, NV 89123		
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P 000	<p>Initial Comments</p> <p>This Statement of Deficiencies was generated as a result of the Initial State Licensure survey begun at your agency on January 22, 2010 and finalized on March 18, 2010. This State Licensure survey was conducted by the authority of Chapter 449, Personal Care Agencies.</p> <p>These findings and conclusions of any investigation by the Health Division shall not be construed as prohibiting any criminal or civil investigations, actions or other claims for relief that may be available to any party under applicable federal, state or local laws.</p> <p>The agency had applied for a license as a Personal Care Aide Agency which provides in-home personal care services to elderly and disabled persons.</p> <p>One employee file was reviewed along with the Policy and Procedure Manual.</p> <p>The following regulatory deficiencies were identified.</p>	P 000		
P 020	<p>Section 12 Criminal Background</p> <p>Sec. 12. 1. In addition to the requirements set forth in NAC 449.011, each applicant for a license to operate an agency shall submit to the Central Repository for Nevada Records of Criminal History two complete sets of fingerprints for submission to the Federal Bureau of Investigation for its report.</p> <p>2. The Central Repository for Nevada Records of Criminal History shall determine whether the applicant has been convicted of a crime listed in paragraph (a) of subsection 1 of NRS 449.188 and immediately inform the</p>	P 020		

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TITLE

(X6) DATE

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE

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P 060	Continued From page 2 his authority in his absence. The responsibilities of an administrator include, without limitation: (a) Employing qualified personnel and arranging for their training; (b) Ensuring that only trained attendants are providing services to a client of the agency and that such services are provided in accordance with the functional assessment of the client, the service plan established for the client and the policies and procedures of the agency; (c) Developing and implementing an accounting and reporting system that reflects the fiscal experience and current financial position of the agency; (d) Negotiating for services provided by contract in accordance with legal requirements and established policies of the agency; (e) Providing oversight and direction for attendants and other members of the staff of the agency as necessary to ensure that the clients of the agency receive needed services; (f) Developing and implementing policies and procedures for the agency, including, without limitation, policies and procedures concerning terminating the personal care services provided to a client; (g) Designating one or more employees of the agency to be in charge of the agency during those times when the administrator is absent; and (h) Demonstrating to the Health Division upon request that the agency has sufficient resources and the capability to satisfy the requests of each client of the agency related to the provision of the personal care services described in the service plan to the client.	P 060			

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P 060	Continued From page 3 This STANDARD is not met as evidenced by: Based on record review and interview , the agency failed to provide a training program for the Personal Care Attendants of the agency. Based on record review and interview, the agency failed to have an employee named as administrator designee in the absence of the administrator.	P 060			
P 140	Section 15(5) Infectious Disease 5. Provide for the prevention, control and investigation of infections and communicable diseases; This STANDARD is not met as evidenced by: Based on policy and procedure document review and staff interview, the agency failed to develop a method for preventing, controlling and investigating infections and communicable diseases.	P 140			
P 160	Section 15(7) Attendant Assignment/Supervision 7. Provide a description of the manner in which the agency assigns attendants to provide personal care services to clients and any supervision of those services that will be provided by the agency; This STANDARD is not met as evidenced by: Based on record review and interview, the agency's policies and procedures did not provide a description of the manner in which it assigns	P 160			

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P 160	Continued From page 4 attendants to provide services. The agency policy and procedure manual was reviewed. The manual did not contain a description of how the agency assigns attendants to provide services to clients. The staffing coordinator was interviewed and provided a verbal description of how assignments are made, but stated it wasn't in the policy manual.	P 160			
P 190	Section 15(10) Coordination with Agencies 10. Set forth the roles of the agency and any coordination that the agency will provide with services provided by other community service agencies; This STANDARD is not met as evidenced by: Based on record review and interview, the agency lacked a policy setting forth the role of the agency and how the agency coordinates with other community service agencies.	P 190			
P 210	Section 15(12) Personnel Records 12. Provide for the maintenance of current personnel records which confirm that the policies and procedures are being followed; and This STANDARD is not met as evidenced by: Based on record review and staff interview, the agency failed to provide for the maintenance of current personnel records which confirm that the policies and procedures were being followed. Review of personnel records and the agency's Policies and Procedures revealed a lack of	P 210			

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P 210	Continued From page 5 documents required to be maintained in the personnel files.	P 210			
P 220	Section 15(13) Special Client Needs 13. Set forth any other specific information that is necessary based on the needs of any special populations served by the agency. This STANDARD is not met as evidenced by: Based on review of records and staff interview, the agency failed to have a policy or procedure that provides for a method to address any special needs of it's clients.	P 220			
P 230	Section 16.1(a-i) Personnel File Sec. 16. 1. A separate personnel file must be kept for each attendant of an agency and must include, without limitation: (a) The name, address and telephone number of the attendant; (b) The date on which the attendant began working for the agency; (c) Documentation that the attendant has had the tests or obtained the certificates required by NAC 441A.375; (d) Evidence that the references supplied by the attendant were checked by the agency; (e) Evidence of compliance with NRS 449.179 by the administrator of the agency or the person licensed to operate the agency with respect to the attendant; (f) Proof that, within 6 months after the attendant began working for the agency, the attendant obtained a certificate in first aid and cardiopulmonary resuscitation issued by the American National Red Cross or an equivalent	P 230			

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P 230	Continued From page 6 certificate approved by the Health Division; (g) Proof that the attendant is at least 18 years of age; (h) Proof of possession by the attendant of at least the minimum liability insurance coverage required by state law if the attendant will be providing transportation to a client in a motor vehicle; and (i) Documentation of all training attended by and performance evaluations of the attendant. This STANDARD is not met as evidenced by: Based on record review and interview, the agency did not have a method to document that the references provided by potential employees will be checked. Based on record review of employee #1, documentation of a physical examination or certification from a licensed physician that meets the requirements of NAC 441A.375 3.(a) was not met. Based on review of records, the agency failed to provide a policy and procedure to document a periodic performance evaluation on there employees.	P 230			
P 280	Section 17/1(2) Documentation of Supervision 2. Each supervisory visit and each telephone call must be documented. The documentation must be dated and signed by the administrator or his designee. Each supervisory visit and each telephone call must consist of an evaluation of whether: (a) Appropriate and safe techniques have been	P 280			

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P 280	Continued From page 7 used in the provision of personal care services to the client; (b) The service plan established for the client has been followed; (c) The service plan established for the client is meeting the personal care needs of the client; (d) The attendant providing personal care services to the client has received sufficient training relating to the personal care services that the attendant is providing to the client; and (e) It is necessary for the administrator or his designee to follow up with the attendant or client concerning any problems in the personal care services being provided to the client or the service plan established for the client that are identified as the result of the supervisory visit or telephone call. This STANDARD is not met as evidenced by: Based on review of documentation and interview, the agency failed to provide a process for documentation of staff supervision conducted on site by visit or by telephone.	P 280			
P 450	Section 21.1(2) Grievance Procedure 2. The administrator of an agency shall establish and enforce a procedure to respond to grievances, incidents and complaints concerning the agency in accordance with the written policies and procedures of the agency. The procedure established and enforced by the administrator must include a method for ensuring that the administrator or his designee is notified of each grievance, incident or complaint. The administrator or his designee shall personally investigate the matter in a timely manner. A client who files a grievance or	P 450			

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P 450	Continued From page 8 complaint or reports an incident concerning the agency must be notified of the action taken in response to the grievance, complaint or report or must be given a reason why no action was taken. This STANDARD is not met as evidenced by: Based on record review and staff interview, the agency failed to provide a procedure for grievance resolution that met all regulatory requirements. A review of documentation revealed a lack of a method for documenting the process, including, communication between the administrator and the client concerning grievances, complaints and incidents.	P 450			
P 490	Section 22.1(1-2) Initial Client Screening Sec. 22. 1. The administrator of an agency or his designee shall conduct an initial screening to evaluate each prospective client ' s requests for personal care services and to develop a service plan for the client or to accept a service plan established for the client. 2. The initial screening and the development or acceptance of a service plan must be documented. The documentation must be dated and signed by the person who conducted the initial screening and developed or accepted the service plan. This STANDARD is not met as evidenced by: Based on record review and staff interview, the agency failed to provide documentation of an initial screening document that included the date and signature of the person who conducted the	P 490			

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P 490	Continued From page 9 initial screening. The agency also failed to develop a document for developing a Service Plan for each client.	P 490			
P 500	Section 22.1(3) Prior to Initiation of Services 3. The agency shall complete the following tasks before providing the personal care services outlined in the service plan established for the client and as often as necessary if the service plan is revised: (a) Evaluate whether the agency has sufficient resources and the capability to satisfy the requests of the client and to provide the client with the personal care services described in the service plan; (b) Review the service plan with the client, including, without limitation, the schedule for the provision of personal care services to the client, the procedure to follow if an attendant fails to provide personal care services in accordance with the service plan, the hiring and training policies of the agency, the responsibilities of the agency, the procedure for filing a grievance or complaint and any personal care services that an attendant is prohibited from providing pursuant to section 23 of this regulation; (c) Review the procedure to be followed if an attendant does not appear for a scheduled visit and the procedure to be followed if an additional visit from an attendant is required; (d) Ensure that the personal care services requested by the client are services which assist the client with the activities of daily living; and (e) Ensure that the agency is coordinating the personal care services that it will be providing to the client with the care and services available to the client from other organizations and persons.	P 500			

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P 500	Continued From page 10 This STANDARD is not met as evidenced by: Based on record review and staff interview, the agency failed to provide a process for coordinating the personal care services that it will be providing to the client with the care and services available to the client from other organizations and persons.	P 500			

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